

STAND. COM. REP. NO.

314

Honolulu, Hawaii

FEB 18 2021

RE: S.B. No. 134
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Health, to which was referred S.B. No. 134
entitled:

"A BILL FOR AN ACT RELATING TO EMERGENCY POWERS,"

begs leave to report as follows:

The purpose and intent of this measure is to prohibit the
Governor or the mayors from suspending requests for public or
vital statistics records during a declared state of emergency.

Your Committee received testimony in support of this measure
from the Civil Beat Law Center for the Public Interest, Society of
Professional Journalists Hawaii Chapter, All Hawaii News, League
of Women Voters, Big Island Press Club, and two individuals. Your
Committee received comments on this measure from the Office of
Information Practices.

Your Committee finds that existing law allows the Governor or
a mayor to suspend requests for public or vital statistics records
during a declared state of emergency. Your Committee further
finds that during the coronavirus disease 2019 (COVID-19)
pandemic, the Governor suspended the Uniform Information Practices
Act (UIPA) in its entirety for two and a half months, and that the
deadlines under the UIPA have been suspended indefinitely. Your
Committee acknowledges that while it is important for the Governor
and the counties to have flexible and broad emergency powers
during extended emergencies such as the COVID-19 pandemic,



guardrails must exist to prevent the overreach of those powers. This measure prohibits the Governor or a mayor from suspending requests for public or vital statistics records during a declared state of emergency.

Your Committee has amended this measure by inserting an effective date of July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 134, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 134, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Health,

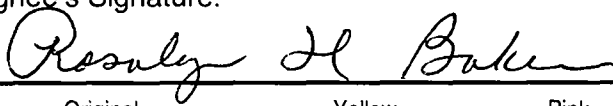


TERRETT KEOHOKALOLE, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:*	Committee Referral:	Date:		
SB134	HTH, JDC	2-10-2021		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOLE, Jarrett (C)	✓			
BAKER, Rosalyn (VC)	✓			
MORIWAKI, Sharon Y.	✓			
SAN BUENAVENTURA, Joy A.	✓			
FEVELLA, Kurt	✓			
TOTAL	5	—	—	—
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes